



COMMONWEALTH of VIRGINIA
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MEMORANDUM

To: Joseph K. Funkhouser, II, Chair
Real Estate Board
Department of Professional and Occupational Regulation

From: Ellen E. Coates
Assistant Attorney General

Date: July 3, 2003

Subject: Letter of Assurance for Proposed Regulations Adjusting
Fees Charged by the Real Estate Board

I have reviewed the proposed regulations adjusting the fees charged by the Real Estate Board that were submitted to this office electronically on June 25, 2003, and the memorandum that I received from Theresa A. Wilkins, Department of Professional and Occupational Regulation's Management and Budget Analyst, dated June 30, 2003, wherein Wilkins states that the proposed fee adjustments are consistent with the provisions of § 54.1-113 of the Code of Virginia, which is known as the Callahan Act. Because the determination of whether the provisions of the Callahan Act have been met is a financial matter uniquely within the purview of the Board and DPOR, I express no opinion as to that determination. Subject to the foregoing, in my view as counsel to the Board, the Board may promulgate these regulations pursuant to § § 54.1-113 and -201(4) of the Code of Virginia.